



# United States Department of the Interior

BUREAU OF LAND MANAGEMENT

FILLMORE FIELD OFFICE

35 East 500 North  
Fillmore, Utah 84631



IN REPLY REFER TO:  
3809 (UTW02000)  
UTU-87832

February 8, 2010

**RECEIVED**

**FEB 11 2010**

CERTIFIED MAIL # 7008 2810 0000 9873 3945  
RETURN RECEIPT REQUESTED

DIV. OF OIL, GAS & MINING

Alana Metcalf	:	
69 Hillside Avenue	:	43 CFR 3809 - Surface Management
Salt Lake City, UT 84103	:	Notice/Plan of Operation

## Plan of Operations Incomplete

Your filing, Notice and Plan of Operations (Plan) for the SW1/4 section 12, T. 19 S., R. 14 W., SLB&M was received by the Fillmore Field Office (FFO), Bureau of Land Management (BLM) on February 1, 2010 and has been assigned BLM case file number UTU-87832. Please refer to this number in future correspondence.

Your operation appears to be inappropriate for a Notice, which is for exploration activities, and is being reviewed as a Plan. Based on our initial review of your filing, we have determined your Plan does not contain all information required by the BLM surface management regulations at 43 CFR 3809.401(b). The following information must be provided in order for your Plan to be complete:

1. Description of your proposed activity,
  - a. How will access to the site be made?
    - i. No new access is indicated; will improvement of existing access be required?
  - b. Characterize the "ore" material as far as contained contaminants,
  - c. Describe the staging/load-out area developed near Highway 50/6, and
  - d. Describe any mineral processing facilities whether on or off-site.
2. Map with sufficient detail to locate the site and showing access routes,
  - a. Show staging/load-out area,
  - b. Show patented mining claims (private land),
  - c. Show federal land, and
  - d. Show "ore" piles in relation to private and federal land.
3. Description of reclamation to be completed, and
  - a. Performance standards required in 43 CFR § 420 must be addressed
  - b. How will access to the site be reclaimed?


- c. How will acid forming deleterious wastes be isolated or controlled?
  - d. How will growth medium be conserved and applied upon closure?
  - e. What re-vegetation efforts will be made?
4. Reclamation cost estimate, see 43 CFR § 3809.552 and 3809.554.

Until a complete Plan is filed with this office, BLM is unable to determine if your proposed operations will result in unnecessary or undue degradation as defined under 43 CFR 3809.5. In addition, we are unable to make a determination as to our agreement with the amount of required financial guarantee.

Please submit the required information at your earliest convenience. Until we receive this information your Plan cannot be processed and the proposed mining activity is not to take place.

If you have any questions, please contact Jerry Mansfield, FFO Geologist, at 435-743-3125.

Sincerely,



Patricia M. Bailey  
Acting Field Manager

cc: John Rogers, UDOGM w/ enclosure

FEB 11 2010

- Notice -

for

DIV. OF OIL, GAS &amp; MINING

**Exploration Activity under the Surface Management Regulations at 43 CFR 3809**

You may submit a Notice for surface disturbing activity greater than casual use instead of a Plan of Operations. To qualify for a Notice the activity must: 1) constitute exploration, 2) not involve bulk sampling of more than 1,000 tons of presumed ore, 3) must not exceed 5 acres of surface disturbance, and 4) must not occur in one of the special category lands listed in 43 CFR 3809.11(c). The regulations at 43 CFR 3809.301(b) describe the information that you, the operator, are required to provide in order for the Notice to be complete. The Notice is to be filed in the BLM field office with jurisdiction over the land involved. The Notice does not need to be on a particular form but must contain the information required by 43 CFR 3809.301(b), as outlined below. This format has been prepared to help small or medium scale operators address the content requirements for a Notice. Use of this worksheet is voluntary.

**Part 1 - Operator Information**

You must identify the operator responsible for conducting the proposed activity. If the operator is a corporation, then a corporate point of contact must be identified. You must notify the BLM in writing within 30 days of any change of operator or corporate point of contact or in the mailing address of either.

Name(s): <i>Alana Metcalf</i>	Point of Contact (if operator is a corporation):
Mailing Address: <i>69 Hillside Avenue Salt Lake City, Utah 84103</i>	Mailing Address:
Phone Number: <i>801-863-8585</i>	Phone Number:
Fax Number:	Fax Number:
Email address (optional): <i>ametcalf@xmission.com</i>	Email address (optional):
Taxpayer Identification Number (for an individual this is your social security number): <i>528-84-5773</i>	
Unpatented Mining Claims (list the name and BLM serial number(s) of any unpatented mining claim(s) where disturbance would occur): <i>SW 1/4 section 12, T 19S, R 14W UMC 408844 Sandles I</i>	
Other Federal, State, or Local Authorizations (list any other permits or licenses you have either applied for or been issued for this project):	

## Part 2 – Description of Exploration Activity and Reclamation

You must provide a complete description of all equipment, devices or practices you propose to use during operations with a level of detail appropriate to the type, size, and location of the activity. The type of information required is listed below. You only need to address those items applicable to your operations.

<p>Project Area Maps (<i>Attach map(s) that show the location of your project in sufficient detail for BLM to find it and the location of access routes that will be used or constructed. Show all relevant project features on the maps or drawings:</i>)</p>	<p><input type="checkbox"/> Exploration location <input type="checkbox"/> Access routes, new and existing construction <input type="checkbox"/> Drillsite/drill hole location(s) <input type="checkbox"/> Trenching location/depth <input type="checkbox"/> Underground workings <input type="checkbox"/> Support facilities/buildings/utility service/etc. <input type="checkbox"/> Other:</p>
<p>Activity Description (<i>Address each applicable project feature, describe the equipment you intend to use and measures you will take to prevent unnecessary or undue degradation.</i>)</p>	<p><input type="checkbox"/> Access route construction and use <input type="checkbox"/> Drill site construction <input type="checkbox"/> Drilling operations/drill fluids &amp; cuttings handling <input type="checkbox"/> Trenching or surface sampling <input type="checkbox"/> Underground sampling or excavation <input type="checkbox"/> Bulk sample or waste stockpile placement <input type="checkbox"/> Support facilities construction and operation <input type="checkbox"/> Other:</p>
<p>Activity Description (<i>Describe your proposed exploration activity. Attach additional sheets/maps where needed</i>)</p> <p>We will be using a dump truck and a front loader and using existing roads to gather ore that is already stacked in piles on the ground. We will just be taking ore from these piles and not disturbing the existing land in the area. We will be doing no mining or drilling to gather this rock, and not leaving any waste behind.</p>	



Reclamation Plan (provide a reclamation plan to meet the standards in 43 CFR 3809.420. Include a description of the equipment, devices and practices you will use. Address the applicable components in the right column)

- ☐ Drill hole plugging procedures
- ☐ Disposal of drill cuttings or other waste material
- ☐ Drill site/drill road regrading and reshaping plans
- ☐ Closure of mine openings and test pits
- ☐ Topsoil salvage, handling and replacement
- ☐ Vegetation reestablishment / weed control
- ☐ Removal/stabilization of buildings & support facilities
- ☐ Other:

Reclamation Plan (Describe how you will complete reclamation of the project area. Attach additional sheets/maps where needed)

We will use a truck and front loader to remove the piles of ore. Once the piles have been removed, the land will be graded and reshaped to fit and blend with the surrounding landscape.

Schedule of Activities (provide a schedule with the date you expect to begin operations and the date you expect to complete reclamation. Notices expire in 2 years, after which, only reclamation may be conducted unless the Notice is extended.)

We will be getting rock during the months of May to October, weather permitting.

### Part 3 – Reclamation Cost Estimate

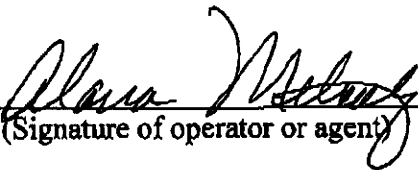
A reclamation cost estimate (RCE) is required for your Notice to be complete. The following are general RCE requirements. The BLM is available to assist you in developing your reclamation cost estimate.

Reclamation Cost Estimate Elements ( <i>Account for each of these cost elements</i> )	<ul style="list-style-type: none"><li><input type="checkbox"/> The RCE must cover the Reclamation Plan at any point in the project life</li><li><input type="checkbox"/> Calculate the RCE based on BLM's cost to contract for the reclamation</li><li><input type="checkbox"/> Include all equipment use, supplies, labor, and power in direct costs</li><li><input type="checkbox"/> Allow for a contingency cost (10% of direct costs)</li><li><input type="checkbox"/> Allow for contractor profit (10% of direct costs)</li><li><input type="checkbox"/> Include contractor liability insurance (1.5% of total labor cost)</li><li><input type="checkbox"/> For direct costs over \$100,000 add 3% for payment &amp; performance bonds</li><li><input type="checkbox"/> Add 12% of direct costs for BLM contract administration &amp; indirect costs</li></ul>
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Reclamation Cost Estimate (*Attach additional sheets/maps where needed*)

*I would appreciate assistance in estimating our minimal costs.*

The Notice is submitted this date by:

  
(Signature of operator or agent)

1-29-10  
Date

\_\_\_\_\_  
(Signature of co-operator or agent)

\_\_\_\_\_  
Date

### **Additional Processing Information**

Within 15 calendar days of receiving your Notice, the BLM will review the Notice material and notify you:

- 1) that your Notice is complete and the amount of the financial guarantee that must be provided before operations may begin; or
- 2) that your Notice is not complete, specifying what information is missing or incomplete; or
- 3) that your Notice is complete but that BLM requires additional time for consultation, field visits, or review before it can evaluate the Notice; or
- 4) that the Notice must be modified in order to prevent unnecessary or undue degradation; or
- 5) that your operations do not qualify for a Notice.

Once a complete Notice is received, and BLM determines that it will not cause unnecessary or undue degradation, the BLM will notify you that your Notice has been accepted and issue a decision on the amount of the financial guarantee. However, you must not begin surface disturbing activity until you have provided a financial guarantee in the approved amount to the BLM State Office, and received a decision from that office that the financial guarantee instrument has been accepted.

All Notices expire two years from the date of the letter establishing the financial guarantee amount. If you wish to conduct operations for two additional years after the expiration date of your Notice, you must notify BLM in writing on or before the expiration date and meet the financial guarantee requirements. You may extend your Notice more than once.

It should be noted that acceptance of a Notice by BLM does not constitute a determination regarding the validity or ownership of any unpatented mining claim involved in the operation. In addition, you are responsible for obtaining any use rights or local, state or federal permits, licenses or reviews that may be required for your operation.

A Notice proposing use and occupancy of the public lands, such as full or part time residence or the construction, presence, or maintenance of temporary or permanent structures, must also obtain concurrence under the regulations at 43 CFR 3715 that the use or occupancy is reasonably incident to the prospecting or exploration activity.



**- Plan of Operations -  
for**

**Activity under the Surface Management Regulations at 43 CFR 3809**

The regulations at 43 CFR 3809.401(b) require you, the operator, to describe the proposed operations at a level of detail sufficient for the BLM to determine that your operation would prevent unnecessary or undue degradation. The Plan of Operations is to be filed in the BLM field office with jurisdiction over the land involved. The Plan of Operations does not need to be on a particular form but must address the information required by 43 CFR 3809.401(b), as outlined below. This format has been prepared to help small or medium scale operators address the content requirements for a Plan of Operations. Use of this worksheet is voluntary.

**Part 1 - Operator Information**

You must identify the operator responsible for conducting the proposed activity. If the operator is a corporation, then a corporate point of contact must be identified. You must notify the BLM in writing within 30 days of any change of operator or corporate point of contact or in the mailing address of either.

Name(s): <i>Alana Metcalf</i>	Point of Contact (if operator is a corporation):
Mailing Address: <i>69 Hillside Avenue Salt Lake City, Utah 84103</i>	Mailing Address:
Phone Number: <i>801-363-8585</i>	Phone Number:
Fax Number:	Fax Number:
Email address (optional): <i>ametcalf@xmision.com</i>	Email address (optional):
Taxpayer Identification Number (for an individual this is your social security number): <i>528-845773</i>	
Unpatented Mining Claims (list the name and BLM serial number(s) of any unpatented mining claim(s) where disturbance would occur): <i>SW 1/4 section 12, T 19S, R 14W UMC 408844 Sandals I</i>	
Other Federal, State, or Local Authorizations (list any other permits or licenses you have either applied for or been issued for this project):          	

## Part 2 – Description of Operations and Reclamation

You must provide a complete description of all equipment, devices or practices you propose to use during operations. The type of information required is listed below. You only need to address those items applicable to your operations. Attach maps and additional sheets as needed.

<p>Project Area Maps (<i>check project feature and show on attached maps or drawings</i>):</p> <p><i>See attached map</i></p>	<p> <input type="checkbox"/> Exploration location  <input type="checkbox"/> Drillsite/drill hole location(s)  <input checked="" type="checkbox"/> Access routes, new and <u>existing</u>  <input type="checkbox"/> Mineral process facility layout  <input type="checkbox"/> Mining areas/underground workings  <input type="checkbox"/> Waste rock/tailing location  <input type="checkbox"/> Support facilities/building location/utility service  <input type="checkbox"/> Other:         </p>
<p>Operating Plans, including preliminary or conceptual designs and cross sections (<i>address applicable project feature, attach design information, and provide a narrative explaining how operations are to be conducted</i>)</p>	<p> <input type="checkbox"/> Mining areas/underground workings  <input type="checkbox"/> Mineral processing facilities  <input type="checkbox"/> Waste rock/tailing disposal  <input type="checkbox"/> Water management plans  <input type="checkbox"/> Rock characterization and handling plans  <input type="checkbox"/> Quality assurance plans  <input type="checkbox"/> Access route construction and use  <input type="checkbox"/> Pipelines, power lines or utility services  <input type="checkbox"/> Other:         </p>
<p>Operating Plan (<i>Describe your operating plan. Attach additional sheets/maps where needed</i>)</p> <p><i>We will be using a dump truck and a front loader, traveling on existing routes to gather ore that is, already stacked in piles on the ground. We will just be taking ore from these piles and not disturbing the existing land or any other geography in the area. The land will be left in better condition than when we started. We will be doing no mining or drilling to gather this rock, and not leaving any waste behind.</i></p>	



Reclamation Plan (provide a reclamation plan to meet the standards in 43 CFR 3809.420. Include a description of the equipment, practices, and devices you will use. Address the applicable components in the right column)

- ☐ Drill hole plugging procedures
- ☐ Closure of mine openings and reclamation
- ☐ Regrading and reshaping plans
- ☐ Isolation & control of acid-forming/toxic materials
- ☐ Topsoil salvage, handling and replacement
- ☐ Vegetation reestablishment / weed control
- ☐ Wildlife habitat / riparian area rehabilitation
- ☐ Removal/stabilization of buildings & support facilities
- ☐ Post-closure management
- ☐ Pit backfilling feasibility where pits are to be left open (address economic, environmental, and safety factors)

Reclamation Plan (Describe your reclamation plan. Attach additional sheets/maps where needed)

After the ore piles have been removed, the land will be graded and reshaped to fit the surrounding landscape.

Schedule of Operations (provide a schedule from project start-up through final closure. Identify major phases such a development, mining, processing, and reclamation. Operations with open-ended or undefined schedules cannot be accepted)

We will be getting ore during the months of May to October, weather permitting.

### Part 3 – Monitoring Plan

You must provide a plan to monitor the effects of your operation. The monitoring plan should be designed to do the following: 1) demonstrate compliance with the Plan of Operations and other environmental regulations, 2) provide early detection of potential problems, and 3) supply information that will assist with any needed corrective actions. The scope of monitoring depends on the location and complexity of the operation. Generally, exploration activity requires little or no monitoring, while certain mining activity may need comprehensive monitoring plans. Monitoring plans should avoid duplication by incorporating other state or federal monitoring requirements.

Resource Conditions to Monitor ( <i>Indicate the conditions you propose to monitor</i> )	<input type="checkbox"/> Surface or groundwater quality/quantity <input type="checkbox"/> Air quality <input type="checkbox"/> Vegetation or reclamation conditions <input type="checkbox"/> Process facility containment performance <input type="checkbox"/> Stability conditions <input type="checkbox"/> Wildlife mortality <input type="checkbox"/> Noise or light levels <input type="checkbox"/> Other (include state requirements):
Monitoring Plan Elements ( <i>For each resource or condition monitored address these elements</i> )	<input type="checkbox"/> Type and location of monitoring devices <input type="checkbox"/> Sampling parameters and frequency <input type="checkbox"/> Analytical methods <input type="checkbox"/> Reporting procedures <input type="checkbox"/> Adverse monitoring result thresholds & procedures <input type="checkbox"/> Other:
<p>Monitoring Plans (<i>Describe your monitoring plan(s). Attach additional sheets/maps where needed</i>)</p> <p><i>Our activity requires no monitoring process</i></p>	

#### Part 4 – Interim Management Plan

All Plans of Operations must include an Interim Management Plan that describes how the project area will be managed during periods of temporary closure (including periods of seasonal closure)

<b>Interim Management Plan Elements</b> <i>(Address each of these elements)</i>	<ul style="list-style-type: none"><li>___ Schedule of anticipated periods of closure</li><li>___ Provisions to notify BLM of unplanned or extended closures</li><li>___ Measures to stabilize excavations and workings</li><li>___ Measures to isolate or control toxic materials</li><li>___ Provisions to store or remove equipment, supplies or structures</li><li>___ Measures to maintain the project area in a safe and clean condition</li><li>___ Plans for monitoring site conditions during non-operation</li><li>___ Other:</li></ul>
<p><b>Interim Management Plan</b> <i>(Describe your Interim Management Plan. Attach additional sheets/maps where needed)</i></p> <p>Our plan of activity is during weather appropriate conditions. Areas will be left in safe and clean conditions at all times.</p>	

## Part 5 – Reclamation Cost Estimate

A reclamation cost estimate (RCE) is required to process your Plan of Operations (43 CFR 3809.401(d)). The RCE may be submitted with the Plan of Operations, or later at a time to be determined between you and BLM. The following are general RCE requirements. BLM is available to assist you in developing the cost estimate.

Reclamation Cost Estimate  
Elements (*Account for each  
of these cost elements*)

- ☐ The RCE must cover the Reclamation Plan at any point in the project life
- ☐ Calculate the RCE based on BLM's cost to contract for the reclamation
- ☐ Include all equipment use, supplies, labor, and power in direct costs
- ☐ Include fluid management of any mill process solutions in direct costs
- ☐ Allow for a contingency cost (10% of direct costs)
- ☐ Allow for contractor profit (10% of direct costs)
- ☐ Include contractor liability insurance (1.5% of total labor cost)
- ☐ For direct costs over \$100,000 add 3% for payment & performance bonds
- ☐ Add 12% of direct costs for BLM contract administration & indirect costs

Reclamation Cost Estimate (*Attach additional sheets/maps where needed*)

*I assume the cost will be minimal but would like help  
in developing the cost estimate*

The proposed Plan of Operations is submitted this date by:

Alana Matney  
(Signature of operator or agent)

1-29-10  
Date

\_\_\_\_\_  
(Signature of co-operator or agent)

\_\_\_\_\_  
Date

### Additional Processing Information

Within 30 calendar days of receiving your proposed Plan of Operations, the BLM will review the submitted material and notify you: 1) that your Plan of Operations is complete, that is, it meets the content requirements under 43 CFR 3809.401(b); or 2) that your Plan does not contain a complete description of the proposed operations, specifying what information is missing or incomplete; or 3) that your Plan of Operations is complete, but BLM cannot process the Plan until certain additional steps are taken which could include you providing adequate baseline data, BLM conducting an environmental review, or BLM consulting with various entities such as the State or Indian tribes.

Once a Plan of Operations is determined to be complete, an environmental analysis is prepared. The environmental analysis and/or complete Plan of Operations is available for public comment for not less than 30-days. The processing of a Plan of Operations that requires preparation of an environmental impact statement (EIS) is subject to the cost recovery provisions of the regulations. BLM will notify you immediately if it is determined your Plan of Operations falls within the cost recovery requirements.

Upon completing review of your Plan of Operations, including environmental analysis, consultation, and consideration of public comments, the BLM will issue a decision that: 1) approves the Plan of Operations basically as submitted; or 2) approves the Plan of Operations subject to changes or conditions needed to prevent unnecessary or undue degradation; or 3) disapproves or withholds approval of the Plan of Operations, listing the reason for not approving the Plan. The decision to approve or deny a Plan of Operations can be appealed to the BLM State Director or directly to the Interior Board of Land Appeals (IBLA).

Even after receiving a decision approving your Plan of Operations, you must not begin surface disturbing activity until you have provided a financial guarantee in the amount of the approved reclamation cost estimate to the BLM State Office, and received a decision from that office that the financial guarantee instrument has been accepted.

It should be noted that approval of a Plan of Operations by BLM does not constitute a determination regarding the validity or ownership of any unpatented mining claim involved in the operation. In addition, you are responsible for obtaining any use rights or local, state or federal permits, licenses or reviews that may be required for your operation.

A Plan of Operations proposing use and occupancy of the public lands, such as full or part time residence or the construction, presence, or maintenance of temporary or permanent structures, must also obtain concurrence under the regulations at 43 CFR 3715 that the use or occupancy is reasonably incident to the prospecting, mining, or processing operations.